

**UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA**

GUILFORD COLLEGE, *et al.*

Plaintiffs,

v.

KIRSTJEN NIELSEN, in her
official capacity as Secretary of
Homeland Security, *et al.*,

Defendants.

Civil Action No. 1:18-cv-0891

DEFENDANTS' MOTION TO DISMISS

Under Federal Rules of Civil Procedure 12(b)(1) and (6), Defendants hereby move this Court to dismiss Plaintiff's Complaint because this Court no longer has jurisdiction over Plaintiffs' claims or because Plaintiffs have failed to state a claim upon which relief may be granted. The grounds for this motion are set forth in the accompanying memorandum of points and authorities. A proposed order is attached.

Dated: January 9, 2019

Respectfully submitted,

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Assistant Attorney General

WILLIAM C. PEACHEY
Director

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By: /s/ Joshua S. Press
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CERTIFICATE OF SERVICE

I certify that on January 9, 2019, I electronically filed the foregoing with the Clerk of Court by using the CM/ECF system, which will deliver a copy to all counsel of record.

By: /s/ Joshua S. Press
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